

REMARKS

Reconsideration of this Application is respectfully requested in view of the arguments presented below. Applicants assert that Claims 1-17 are patentable over the cited art of record.

35 U.S.C. Section 102 Rejections

The above referenced Office Action rejects independent Claims 1 and 10 as being anticipated by U.S. Patent Publication No. 20020046148 (hereafter Alaia). Applicants respectfully traverse.

Embodiments of the present invention implement an auction method having automatic bid status refresh and item attribute updates in an electronic exchange. The method includes the step of receiving update configuration information from remote bidders via a distributed computer network. This update configuration information includes a time interval for receiving bid status updates. The bid status includes information regarding the most competitive, or winning, bid and any associated terms. The bid status updates are disseminated to the remote bidders in accordance with the update configuration information. Additionally, the time interval of the update configuration information is user selected and can be adjusted dynamically during the auction. Remote bidders receive bid status updates in accordance with their specified time interval. Changes to the items and/or item attributes of the auction are also disseminated to the remote bidders via

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Art Unit: 3628

the distributed computer network in accordance with the time interval of the update configuration information. These aspects are explicitly recited in independent Claims 1 and 10.

In contrast, the cited sections of Alaia (e.g., Alaia paragraphs 0026, 0027, and 0030) do not describe any user selectable update configuration information. There is no discussion of any time interval for receiving updates that is user selected and that can be adjusted dynamically during the auction as explicitly recited in the independent claims.

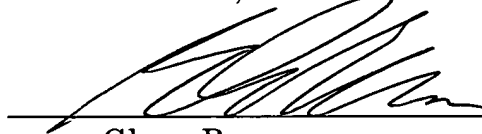
Accordingly, Applicants respectfully assert that the present invention as recited in Claims 1-17 is not anticipated by the Alaia reference within the meaning of 35 U.S.C. Section 102.

CONCLUSION

All Claims (1-17) of the present application are now in condition for allowance. The Examiner is urged to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application. Please charge any additional fees or apply any credits to our PTO deposit account number: 23-0085.

Dated: 6/23, 2006

Respectfully submitted,
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